

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: ASBESTOS PRODUCTS LIABILITY  
LITIGATION (NO. VI)

VARIOUS PLAINTIFFS,

Plaintiffs,

v.

VARIOUS DEFENDANTS,

Defendants

Civil Action No. MDL 875

This Document Relates to:  
**Cases on the attached Exhibit "A"**

**FILED**

AUG 29 2012

MICHAEL E. KUNZ, Clerk  
By \_\_\_\_\_ Day Clerk

**ORDER**

This matter coming to be heard on Plaintiffs' Motion to Dismiss Specific Defendants From CVLO-3 Cases Pursuant to Fed. R. Civ. P. 41(a)(2), **IT IS HEREBY ORDERED** that the specific defendants on Exhibit A are dismissed without prejudice and without costs from plaintiffs' cases as outlined on Exhibit A. This dismissal affects no other defendants in cases listed on Exhibit A and plaintiffs' cases shall proceed as to all remaining defendants.

Date: \_\_\_\_\_

AUG 28 2012

  
Honorable Eduardo C. Robreno

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**Plaintiffs' Motion to Dismiss Specific Defendants From CVLO-3 Cases**  
**Pursuant to Fed. R. Civ. P. 41(a)(2)**

Now come the plaintiffs on the attached Exhibit A ("Plaintiffs") who, by and through their attorneys, Cascino Vaughan Law Offices, Ltd., and pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, hereby file this motion to dismiss specific defendants from their actions, without prejudice and without costs, and in support thereof states the following:

1. Plaintiffs belong to the CVLO-3 Case Management and Scheduling Order. Per the Scheduling Order, plaintiffs submitted a list of specific defendants whom they are willing to voluntarily dismiss from their cases without prejudice and without costs, with plaintiffs' cases to proceed against other active defendants. (Outlined on Exhibit A.)
2. Rather than dismiss these specific defendants piece-meal via individual stipulations, plaintiffs' seek a consolidated order dismissing only these specific defendants in the interest of efficiency for all parties.
3. Federal Rule of Civil Procedure 41(a)(2) provides for dismissal without prejudice.

WHEREFORE, plaintiffs on the attached Exhibit A pray this Honorable Court enter an order dismissing these specific defendants, as outlined on the attached Exhibit A, without prejudice and without costs, with plaintiffs' cases to proceed against all remaining defendants.

Respectfully submitted,

Dated: August 27, 2012

By:   
One of Plaintiff's Attorneys

Allen D. Vaughan  
Michael P. Cascino  
Robert G. McCoy  
Cascino Vaughan Law Offices, Ltd.  
220 South Ashland Ave.  
Chicago, IL 60607  
(312) 944-0600

*Case List – August 27, 2012*

| <b>Last</b> | <b>First</b> | <b>PAED</b> | <b>Defendant</b>  |
|-------------|--------------|-------------|---|
| Andris      | Arthur       | 10-CV-67885 | Foster Wheeler Energy Corporation   |
| Andris      | Arthur       | 10-CV-67885 | General Electric Company  |
| Andris      | Arthur       | 10-CV-67885 | Westinghouse Electric Company   |
| Baumann     | Eugene       | 11-CV-63517 | A.W. Chesterton Company   |
| Baumann     | Eugene       | 11-CV-63517 | Amtico International, Inc.  |
| Baumann     | Eugene       | 11-CV-63517 | Bayer Crop Science, Inc., as successor to Rhone-Poulenc AG Company Inc. & Benjamin-Foster, Inc. |
| Baumann     | Eugene       | 11-CV-63517 | CBS Corporation   |
| Baumann     | Eugene       | 11-CV-63517 | Certainteed Corporation   |
| Baumann     | Eugene       | 11-CV-63517 | Crane Co.   |
| Baumann     | Eugene       | 11-CV-63517 | DAP Products, Inc., Individually and as Successor to DAP, Inc.                                  |
| Baumann     | Eugene       | 11-CV-63517 | General Electric Company  |
| Baumann     | Eugene       | 11-CV-63517 | General Refractories Company  |
| Baumann     | Eugene       | 11-CV-63517 | Goodrich Corporation  |
| Baumann     | Eugene       | 11-CV-63517 | Honeywell International Inc.  |
| Baumann     | Eugene       | 11-CV-63517 | ITT Corporation, Inc.   |
| Baumann     | Eugene       | 11-CV-63517 | Ingersoll Rand Company  |
| Baumann     | Eugene       | 11-CV-63517 | International Paper Company   |
| Baumann     | Eugene       | 11-CV-63517 | Kaiser Gypsum Company, Inc.   |
| Baumann     | Eugene       | 11-CV-63517 | Kentile, Inc.   |
| Baumann     | Eugene       | 11-CV-63517 | Michelin North America, Inc., as successor to Uniroyal, Inc.                                    |
| Baumann     | Eugene       | 11-CV-63517 | Minnesota Mining and Manufacturing Co.  |
| Childs      | Earl         | 08-CV-91089 | Dana Companies LLC, f/k/a Dana Corp.  |
| Childs      | Earl         | 08-CV-91089 | I U North America Incorporated  |
| Childs      | Earl         | 08-CV-91089 | Nosroc Corporation  |
| Collins     | Arthur       | 10-CV-64567 | General Refractories Company  |
| Collins     | Arthur       | 10-CV-64567 | Rapid American Corporation  |
| Dowell      | Charles      | 08-CV-91356 | Metropolitan Life Insurance Company   |
| Dowell      | Charles      | 08-CV-91356 | Minnesota Mining & Manufacturing Company  |

|            |         |             |   |
|------------|---------|-------------|---|
| Doyle      | James   | 08-CV-89845 | I U North America Incorporated            |
| Doyle      | James   | 08-CV-89845 | Industrial Holdings Corporation           |
| Doyle      | James   | 08-CV-89845 | Maremont Corporation                      |
| Doyle      | James   | 08-CV-89845 | Nosroc Corporation                        |
| Ferrara    | Michael | 11-CV-63906 | AGA Gas Incorporated                      |
| Ferrara    | Michael | 11-CV-63906 | Georgia Pacific LLC                       |
| Ferrara    | Michael | 11-CV-63906 | Hobart Brothers                           |
| Ferrara    | Michael | 11-CV-63906 | Lincoln Electric Company                  |
| Ferrara    | Michael | 11-CV-63906 | Linde, Inc.                               |
| Ferrara    | Michael | 11-CV-63906 | Miller Electric Mfg. Co.                  |
| Haffner    | Robert  | 08-CV-89863 | Industrial Holdings Corporation           |
| Haffner    | Robert  | 08-CV-89863 | Westinghouse Electric Company             |
| Hakes      | Donald  | 10-CV-68063 | A.W. Chesterton Company                   |
| Hakes      | Donald  | 10-CV-68063 | Miller Electric Mfg. Co.                  |
| Hakes      | Donald  | 10-CV-68063 | Oakfabco Inc.                             |
| Hass       | Laverne | 09-CV-60267 | Brandon Drying Fabrics Co                 |
| Hass       | Laverne | 09-CV-60298 | Brandon Drying Fabrics Co                 |
| Hass       | Laverne | 09-CV-60267 | Maremont Corporation                      |
| Hass       | Laverne | 09-CV-60298 | Maremont Corporation                      |
| Held       | Donald  | 10-CV-67814 | Foster Wheeler Energy Corporation         |
| Held       | Donald  | 10-CV-67814 | General Electric Company                  |
| Held       | Donald  | 10-CV-67814 | General Refractories Company              |
| Held       | Donald  | 10-CV-67814 | Rhone-Poulenc AG Company                  |
| Held       | Donald  | 10-CV-67814 | Westinghouse Electric Company             |
| Jakubowski | Florian | 10-CV-67831 | General Refractories Company              |
| Jakubowski | Florian | 10-CV-67831 | I U North America Incorporated            |
| Jakubowski | Florian | 10-CV-67831 | National Services Industries Incorporated |
| Jakubowski | Florian | 10-CV-67831 | Nosroc Corporation                        |
| Jakubowski | Florian | 10-CV-67831 | Rhone-Poulenc AG Company                  |
| Jakubowski | Florian | 10-CV-67831 | Union Carbide Corporation                 |
| Larweth    | Dennis  | 08-CV-89914 | General Refractories Company              |
| Larweth    | Dennis  | 08-CV-89914 | Rhone-Poulenc AG Company                  |
| Louis      | Richard | 10-CV-64606 | Foster Wheeler Energy Corporation         |
| Louis      | Richard | 10-CV-64606 | General Electric Company                  |
| Louis      | Richard | 10-CV-64606 | Lincoln Electric Company                  |
| Louis      | Richard | 10-CV-64606 | Rapid American Corporation                |
| Meagher    | John    | 09-CV-60445 | General Refractories Company              |

|             |           |             |                               |
|-------------|-----------|-------------|-------------------------------|
| Obermeier   | Sylvester | 09-CV-61019 | Westinghouse Electric Company |
| Parsons     | Harry     | 10-CV-64587 | Maremont Corporation          |
| Parsons     | Harry     | 10-CV-64587 | Nosroc Corporation            |
| Pertzborn   | James     | 10-CV-61352 | General Refractories Company  |
| Pertzborn   | James     | 10-CV-61352 | Rhone-Poulenc AG Company      |
| Rickey      | Marvin    | 10-CV-61345 | Ingersoll-Rand Company        |
| Rickey      | Marvin    | 10-CV-61345 | Maremont Corporation          |
| Schmoll     | Cyril     | 09-CV-61026 | Westinghouse Electric Company |
| Stephens    | John      | 09-CV-64733 | A W Chesterton Company        |
| Sutherlin   | James     | 10-CV-64565 | Westinghouse Electric Company |
| Usterbowski | Kenneth   | 09-CV-60266 | General Refractories Company  |
| Usterbowski | Kenneth   | 09-CV-60266 | Goodrich Corporation          |
| Willocks    | Tommy     | 09-CV-64701 | Rapid American Corporation    |
| Willocks    | Tommy     | 09-CV-64701 | Rhone-Poulenc AG Company      |
| Wilson      | Harold    | 08-CV-90732 | General Refractories Company  |
| Wilson      | Harold    | 08-CV-90732 | Rapid American Corporation    |
| Woods       | Dale      | 11-CV-66277 | Crane Co.                     |
| Woods       | Dale      | 11-CV-66277 | Ingersoll Rand Company        |
| Woods       | Dale      | 11-CV-66277 | Maremont Corporation          |
| Woods       | Dale      | 11-CV-66277 | Warren Pumps                  |

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CERTIFICATE OF SERVICE

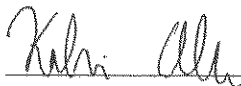
I hereby certify that on August 27, 2012, in accordance with the Court's August 16, 2011, order regarding identical filings in ten or more cases (01-md-875 Doc. No. 8050), I sent the forgoing via Federal Express to Mary Chase of the U.S. District Court for the Eastern District of Pennsylvania Clerk's Office to be filed in and served for each of the cases on the attached Exhibit "A".

A courtesy copy has also been sent via email to:

Chambers\_of\_Judge\_Strawbride@paed.uscourts.gov

Joel\_Lang@paed.uscourts.gov

Lauren\_A\_Fine@paed.uscourts.gov



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 RICHARD SCHUSTER  
 ROBERT MCCOY

ROBERT RILEY  
 ROBERT SANDS  
 ROBERT SCHROEDER  
 ROGER HEIDENREIC  
 RONALD AUSTIN  
 RONALD HACK  
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 SANJAY SHIVPURI  
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 THOMAS SCHRIMPF  
 THOMAS THIBODEAU  
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 TIMOTHY KRIPPNER  
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 TIMOTHY PAGEL  
 TIMOTHY PIKE  
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 WILLIAM CROKE  
 WILLIAM MAHONEY  
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